



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

MATTINGLY, STANGER, & MALUR, P.C.
1800 Diagonal Road
Suite 370
Alexandria VA 22314

MAIL

AUG 29 2005

DIRECTOR OFFICE
TECHNOLOGY CENTER 2100

In re Application of: MURUKAMI
Application No. 10/663,732
Filed: September 17, 2003
For: DATA TRANSFER METHOD

DECISION ON PETITION
TO MAKE SPECIAL
(ACCELERATED EXAMINATION)
UNDER M.P.E.P. §708.02 (VIII)

This is a response to the second renewed petition filed 11 July 2005, under 37 C.F.R. §1.102(d) and M.P.E.P. §708.02 (VIII): Accelerated Examination, to make the above-identified application special. The second renewed petition was filed in response to a denial of the first renewed petition filed 11 April 2005. The first renewed petition was filed in response to a dismissal of the original petition filed 07 December 2004. Note, Applicant's deposit account has not been charged for the filing of the instant petition.

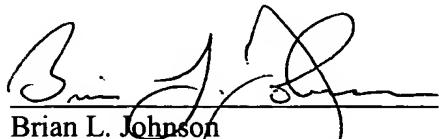
The second renewed petition will not be considered and is hereby DISMISSED.

M.P.E.P. §708.02, Section VIII which sets out the prerequisites for a grantable petition for Accelerated Examination under 37 C.F.R. §1.102(d) states in relevant part:

... In those instances where a request is defective in one or more respects, applicant will be given one opportunity to perfect the request in a renewed petition to make special. If perfected, the request will then be granted. If not perfected in the first renewed petition, any additional renewed petitions to make special may or may not be considered at the discretion of the Technology Center (TC) Special Program Examiner.

(emphasis added). The dismissal of the original renewed petition indicated that additional renewed petitions would not be considered. (Specifically, the dismissal of the original petition stated that "Petitioner is given one opportunity to perfect the petition" (emphasis added).) Further, the denial of the first renewed petition stated that "[t]he application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination" again indicating that additional renewed petitions would not be considered. Accordingly, the second renewed petition filed 11 July 2005 has not been considered.

The application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.



Brian L. Johnson
Special Program Examiner
Technology Center 2100
Computer Architecture, Software and Information Security
571-272-3595

ds